

LAW OFFICES OF WILLIAM B. HILDEBRAND L.L.C.

By: William B. Hildebrand

1040 North Kings Highway

Suite 601

Cherry Hill, NJ 08034

(856) 482-7100

Attorney for Plaintiff

WH:4166

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Martha Jane Toy, individually, and as Executrix and Personal  
Representative of Estate of Russell B. Toy, deceased,

Plaintiffs,

v.

Plumbers & Pipefitters Local Union No. 74 Pension Plan, Trustees of  
Plumbers & Pipefitters Local Union No. 74 Pension Plan, Health and  
Welfare Plan, Local 74, Welfare Benefit Plan, Life Insurance Plan, Local  
74, Welfare Benefit Plan, Life Insurance Plan, Local 74, Insurance Plan,  
Administrators of Pension and Welfare Plans, Trustees of Plumbers &  
Pipefitters Local Union No. 74 Welfare Plan, Plan Administrator of  
Pension & Welfare Plans, Insurance Plans, and Health and Welfare  
Benefit Plan,

Defendants.

C.A. No. 05-1814

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**PLAINTIFF'S BRIEF IN OPPOSITION TO DEFENDANTS' MOTION TO  
DISMISS FOR FAILURE TO STATE A CLAIM AND IMPROPER VENUE**

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Law Offices of William B. Hildebrand L.L.C.  
1040 Kings Highway North  
Suite 601  
Cherry Hill, NJ 08034  
856-482-7100  
Attorneys for Plaintiff

On the Brief:

William B. Hildebrand

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Defendants.

C.A. No. 05-1814

State of New Jersey :

SS :

County of Camden :

WILLIAM B. HILDEBRAND, ESQ. hereby deposes and says:

1. Attached as Exhibit "A" is a true and correct copy of a letter which John M. Stull,  
Esq. sent to John J. Czerwinski in December, 2004.

2. To date, Defendants have not provided the requested information and materials.

Dated:

\_\_\_\_s/ William B. Hildebrand\_\_\_\_  
William B. Hildebrand